

ORDINANCE

119428

AN ORDINANCE relating to historic preservation, imposing controls upon the Space Needle, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, The Landmarks Preservation Board after a public meeting on March 4, 1998, voted to approve the nomination of the Space Needle at 219 Fourth Avenue North, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 15, 1998, the Board voted to approve the designation of the Space Needle as a Landmark under SMC Chapter 25.12; and

WHEREAS, on January 6, 1999, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives;
Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION. That the designation by the Landmarks Preservation Board of the Space Needle, more particularly described as:

D.T. Denny's Third Addition to North Seattle, Block 50, Lots 2 and 3.
Together with the east half of the alley vacated by Ordinance Number 902676 of the City of Seattle, lying between the westerly extensions of the north line of said Lot 2 and the south line of said Lot 3.

as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

- A. It is the location of, or is associated in a significant way with, an historic event with a significant effect upon the community, City, state or nation.
- B. It is associated in a significant way with the life of a person important in the history of the city, state, or nation;
- C. It is associated in a significant way with a significant aspect of the cultural, political or economic heritage of the community, city, state or nation.

- D. It embodies the distinctive visible characteristics of an architectural style, period, or method of construction.
- E. It is an outstanding work of a designer or builder.
- F. Because of their prominence of spatial location, contrasts of siting, age, or scale, they are an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city;

is hereby acknowledged.

Section 2. CONTROLS. The following controls are hereby imposed on the features and characteristics of the Space Needle, that were designated by the Board for preservation:

A. Except as provided in subsection B, below, a Certificate of Approval must be obtained from the Landmarks Preservation Board pursuant to SMC 25.12.670 et seq., or the time for denying an application for a Certificate of Approval must have expired, before the owners may make alterations or significant changes to the exterior of the building, and the site.

B. No Certificate of Approval shall be required, and any changes may be permitted without further review, for any in-kind maintenance or repairs of the features listed in A, above, for temporary holiday ornamentation and/or other special event display on the exterior of the building, including special lighting and painting, and temporary banners and other features, which cover up or obscure, but do not harm controlled features; for adjustment of the color and scope of the exterior lighting on a temporary basis for seasonal and promotional displays; and, for regular landscape maintenance and minor landscape alterations, including the addition/removal of annuals and perennials, not to include tree removal and alterations to pavement.

1 **Section 3. INCENTIVES**

2 A. Economic incentives may be made available as set forth in the Controls and Incentives
3 Agreement between the Owner and the Board, as they become available in the future.

4 B. SMC Title 23 provides for authorization of uses not normally permitted in a particular
5 zoning classification by means of an administrative conditional use.

6 C. When a development project is proposed adjacent to or across the street from the Space
7 Needle property, the City decisionmaker shall refer the proposal to the City's Historic Preservation
8 Officer for an assessment of any adverse impacts on the Space Needle and for comments on mitigating
9 measures. Mitigation may be required to insure the compatibility of the proposed project with the color,
10 material and architectural character of the Space Needle and to reduce impacts on the character of the
11 Space Needle, including sympathetic facade treatment, sympathetic street treatment, sympathetic design
12 treatment, and reconfiguration of the project and/or relocation of the project on the project site. *See*,
13 SMC 25.05.675.

14
15 **Section 4.** Enforcement of this Ordinance and penalties for its violation shall be as provided in
16 Section 25.12.910 of the Seattle Municipal Code.

17
18 **Section 5.** The Space Needle is hereby added to the Table of Historical Landmarks, VIII
19 Miscellaneous, contained in Chapter 25.32 of the Seattle Municipal Code.

20
21 **Section 6.** The City Clerk is hereby directed to record this ordinance with the King County
22 Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and
23 deliver one copy to the Director of the Department of Construction and Land Use.

4